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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Bruce Jones

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STITES & HARBISON, PLLC

400 W MARKET ST

SUITE 1800

LOUISVILLE, KY 40202-3352

EXAMINER

FULLER, ROBERT EDWARD

ART UNIT

PAPER NUMBER

3672

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/734,993	Applicant(s) JONES ET AL.	
	Examiner Robert E. Fuller	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment, received August 17, 2006, has overcome some of the objections to the drawings, and some of the claim objections. With regard to the drawings, only some of the objections were corrected. However, based on page 2 of the amendment of June 14, 2006, it seems that these changes were in fact made, but the wrong set of drawings may have been submitted in both the June 14, 2006 and August 17, 2006 amendments. Therefore, the objections which were not corrected in the reply of August 17, 2006 are simply restated in this office action.

With regard to the prior art rejections made in the office action dated December 16, 2005, the claims remain rejected.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on April 10, 2003. It is noted, however, that applicant has not filed a certified copy of the Canadian application as required by 35 U.S.C. 119(b).

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 22. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each

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drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 30. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claim 29 is objected to because of the following informalities: In line 14 of claim 29, "a first drilling location" should be changed to --a first adjacent drilling location--, and in line 18 of claim 29, "a second drilling location" should be changed to --a second adjacent drilling location--. In answer to applicant's question regarding this objection, it is the examiner's understanding that the drilling locations are adjacent *to each other*.

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The objection is being raised merely to ensure that the body of the claim agrees with the preamble, in which the limitation "at least two adjacent drilling locations" is recited. If examiner's suggested corrections are made, then it will be clear that --the first adjacent drilling location-- is indeed one of the same "at least two adjacent drilling locations" which was positively introduced in the preamble.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 14-21, 27-29, 34, 35, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Springett et al. (US 5,407,302).

Regarding claims 1, 29, 37: Springett et al. discloses a drilling apparatus capable of drilling in at least two drilling locations. The apparatus includes the following features:

- A rig structure **29** that includes a surface-engaging tool (the examiner notes that such a tool is not explicitly taught but that a drilling rig would inherently include a drill bit) and a base with a substantially planar lower surface.
- A drilling pad **27** that has a planar rig support surface with at least one drilling location aperture (12:54-60) where the rig is

placed on the pad in a first position that corresponds to a first drilling location aperture and a first drilling location. The rig is then moved either horizontally or vertically to a second position to where a second drilling location aperture is in alignment with a second drilling location. The lower surface of the rig base rests on the rig support surface. The rig structure can be moved fore and aft and left and right, as evidenced by the arrangement of the drilling locations (13) in 2-D space (see figure 3e).

Regarding claim 2: The first and second apertures may be the same.

Regarding claim 3: The first and second apertures may be different.

Regarding claims 14, 34: More than one drilling location may coincide with one drilling location aperture.

Regarding claim 15: The rig structure includes means to move the rig across the pad.

Regarding claims 16-21: The means of moving is at least hydraulic cylinder (29:15-20) that is removable attached to the rig and the pad.

Regarding claim 27: The pad includes a plurality of connection portions that are connected to the pad while on the platform and disconnected therefrom when it is desired to remove and transport the pad.

Regarding claim 28: While not specifically disclosed, the pad would inherently include removable covers on the drilling location apertures in order to

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have protected the drilling locations from process of drilling at an adjacent location and to have protected operators from falling into the apertures.

Regarding claim 35: The base of the rig includes a plurality of skid structures for attachment to the rig structure.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4-13, 30-33, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springett et al. in view of Rivera (US 5,690,190).

Regarding claims 4, 36: Springett et al. discloses all of the limitations of the above claims except for a friction-reducing coating between the rig base and the rig support structure.

Rivera discloses an apparatus for moving an element relative to another along a rail. Rivera further teaches a friction-reducing coating **116** between the base of the element and the rail.

It would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the apparatus of Springett et al. to include a friction-reducing coating as taught by Rivera between the rig base and the rig support structure in order to have been able to predict and control the

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stopping distance of the rig (1:53-56) and to have providing a dampening between the base and the support (3:34-49).

Regarding claims 5-7: The friction-reducing coating is located on the base (Figure 1).

Regarding claims 8, 9, 12, 13, 32, 33: The coating is an ultra-high molecular weight polymer.

Regarding claims 10, 30, 39: While neither Springett et al. nor Rivera disclose the friction-reducing coating being located on the rig support surface, it would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have formed the friction-reducing coating on the rig support surface, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

Regarding claims 11, 31: The coating can be repaired or replaced.

10. Claims 22-26 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springett et al. in view of Mochizuki et al (US 6,161,358).

Regarding claims 22, 38: Springett et al. discloses all of the limitations of the above claims except for at least one additional pad located adjacent to and abutting the original pad where the additional pad is substantially similar to the original pad thus allowing the rig structure to move to the original pad to the additional pad.

Mochizuki et al. discloses an apparatus similar to that of Springett et al. Mochizuki et al. further teaches at least two pads (first pad **54**, **56**, **62**, and **64** and second pad **58**, **60**, **66**, and **68**) where the rig structure **12** is movable between the two.

It would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the apparatus of Springett et al. to include at least one additional pad where the rig structure is movable between the original pad and the at least one additional pad as taught by Mochizuki et al. in order to have reduced the expense of drilling operations and the environmental impact of the drilling site (3:43-63).

Regarding claim 23: The at least one additional pad includes drilling location apertures (Figure 2) that coincide with a plurality of drilling locations.

Regarding claim 24: The at least one additional includes a non-perforated rig support surface, i.e. the box surfaces that support the rig.

Regarding claim 25: The pad and the at least one additional pad are connected.

Regarding claim 26: The apparatus of Mochizuki et al. can include more than one additional pad where all of the pads are connected with the rig being able to move to any pad.

11. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Springett et al. in view of Mochizuki et al. as applied to claim 38 above, and further in view of Rivera.

Springett et al. and Mochizuki et al. disclose all of the limitations of the above claims except for a friction-reducing coating between the rig base and the rig support structure.

Rivera discloses an apparatus for moving an element relative to another along a rail. Rivera further teaches a friction-reducing coating 116 between the base of the element and the rail.

It would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the apparatus of Springett et al. in view of Mochizuki et al. to include a friction-reducing coating as taught by Rivera between the rig base and the rig support structure in order to have been able to predict and control the stopping distance of the rig (1:53-56) and to have providing a dampening between the base and the support (3:34-49).

Response to Arguments

12. Applicant's arguments filed June 14, 2006 have been fully considered but they are not persuasive. Applicant has argued that Springett does not disclose a rig structure having a substantially planar lower surface.

While examiner agrees that Springett does not disclose a rig structure having an entirely contiguous planar lower surface, examiner respectfully asserts that Springett does teach a substantially planar lower surface. The skid feet of Springett are all aligned in the same horizontal plane, and each foot itself comprises a planar surface. In fact, if one were to picture an imaginary plane containing the bottom surfaces of the skid feet of Springett, much of that plane would be made up by the surfaces of the skid feet.

Furthermore, it is the examiner's understanding that the instant application does not disclose a rig structure with an entirely contiguous planar lower surface. In figure 6A, 6B, and 6C of the instant application, pontoons (similar in concept to the skid feet of Springett) are shown. The pontoons are the actual sliding surfaces of the rig structure. Therefore, the lower surface of the rig structure of Springett is substantially planar inasmuch as the lower surface of the rig structure in the instant application is substantially planar. Therefore, Springett discloses the limitations of the independent claims.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert E. Fuller whose telephone number is 571-272-

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0419. The examiner can normally be reached on Monday thru Friday from 8:00 AM - 5:30 PM. The examiner is normally out of the office every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

03/02/2007

REF


DAVID BAGNELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600